

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD MILES,

Plaintiff,

v.

KROWIAK, et al.,

Defendants.

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3:19-CV-2091
(JUDGE MARIANI)

ORDER

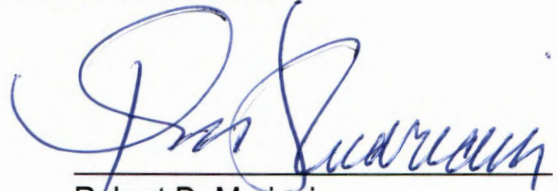
AND NOW, THIS  DAY OF JUNE 2021, upon *de novo* review of

Magistrate Judge Susan Schwab's Report and Recommendation ("R&R") (Doc. 27), IT IS

HEREBY ORDERED THAT:

1. For the reasons set forth in this Court's accompanying Memorandum Opinion, the R&R (Doc. 27) is **ADOPTED AS MODIFIED**.
2. Defendant's Objections (Doc. 28) are **OVERRULED**.
3. The Motion to Dismiss filed by Defendants Barrasse and Corbett (Doc. 9) is **GRANTED** and Plaintiff's claims against Defendants Barrasse and Corbett are **DISMISSED WITH PREJUDICE**.
4. The Motion to Dismiss filed by Defendant Toczydlowski (Doc. 22) is **GRANTED** and Plaintiff's claims against Defendant Toczydlowski are **DISMISSED WITH PREJUDICE**.

5. The Motion to Dismiss filed by Defendants Krowiak, Powell, Gallagher, Zech and Munley (Doc. 7) is **GRANTED** as to Defendants Krowiak, Powell and Gallagher, and Plaintiff's claims against such defendants are **DISMISSED WITH PREJUDICE**. The Motion is **REMANDED** to Magistrate Judge Schwab for further consideration as to Defendants Zech and Munley.
6. The Motion to Dismiss filed by Defendant Lackawanna County (Doc. 15) is **REMANDED** to Magistrate Judge Schwab for further consideration.



Robert D. Mariani
United States District Judge